

### **REMARKS**

Claims 1 - 36 are pending in the application. Claims 1 - 36 have been rejected.

A. *Rejection Under 35 U.S.C. § 103(a)*

The Office Action rejected claims 1-36 under 35 U.S.C. § 103(a) as being unpatentable over Beelitz et al., U.S. Patent No. 6,182,275 (Beelitz). This rejection is respectfully traversed.

The invention, as set forth by independent claim 1, relates to a method for procuring a manufactured component through a plurality of development stages. The method includes providing a database for storing information related to procuring the manufactured component; sharing the database among a plurality of relevant parties, at least one of the relevant parties comprising an outside vendor; inputting data into the database by at least one of the relevant parties during a development stage of the manufactured component; and modifying the database at each development stage of the manufactured component if necessary.

The invention, as set forth by independent claim 9, relates to a database stored on a memory for use in manufacturing a component. The database includes: a plurality of partitions, each partition relating to manufacturing the component; a plurality of fields within each partition, the plurality of fields for logging information related to a plurality of manufacturing development stages; and a plurality of storage locations for storing data related to the plurality of partitions; wherein the database is accessible to a manufacturer and at least one outside vendor.

The invention, as set forth by independent claim 17, relates to a method of procuring a computer component comprising: providing a database stored on a memory. The database includes: a plurality of partitions, each partition relating to manufacturing the component; a plurality of fields within each partition, the plurality of fields for logging information related to a plurality of manufacturing development stages; and a plurality of storage locations for storing data related to the plurality of partitions, and providing access to the database by a manufacturer and at least one outside vendor.

The invention, as set forth by independent claim 26, relates to a computer system including: a processor; system memory coupled to the processor; and a memory coupled to the processor, the memory including a database for use in manufacturing a component. The database includes: a plurality of partitions, each partition relating to manufacturing the component; a plurality of fields within each partition, the plurality of fields for logging information related to a plurality of manufacturing development stages; and a plurality of storage locations for storing data related to the plurality of partitions; wherein the database is accessible to a manufacturer and at least one outside vendor.

Beelitz discloses a system for specifying, ordering and building a build to order computer system. Beelitz includes a master database which includes a manufacturing specific part number or identification field with each individual hardware component, software program or installation operation having a specific number. Each entry in the master database also includes a tag. The tags in the master database may be used to indicate that the computer system vendor offers a variety of options for a particular entry. Thus, when a control computer system reads the tag, the control computer system knows to create a list of options for the particular entry if that entry is selected.

Beelitz does not disclose or suggest, taken alone or in combination, a method for procuring a manufactured component through a plurality of development stages which includes sharing a database among a plurality of relevant parties, *at least one of the relevant parties comprising an outside vendor*, much less inputting data into the database by at least one of the relevant parties during a development stage of the manufactured component and modifying the database at each development stage of the manufactured component if necessary, all as required by independent claim 1. Accordingly, claim 1 is allowable over Beelitz. Claims 2 – 8 depend from claim 1 and are allowable for at least this reason.

Beelitz does not disclose or suggest, taken alone or in combination, a database stored on a memory for use in manufacturing a component wherein the database is accessible to a manufacturer and *at least one outside vendor*, all as required by independent claim 9.

Accordingly, claim 9 is allowable over Beelitz. Claims 10 – 16 depend from claim 9 and are allowable for at least this reason.

Beelitz does not disclose or suggest, taken alone or in combination, a method of procuring a computer component including providing a database stored on a memory wherein the database is accessible to a manufacturer and *at least one outside vendor*, all as required by independent claim 17. Claims 18 – 25 and 34 and 35 depend from claim 17 and are allowable for at least this reason.

Beelitz does not disclose or suggest, taken alone or in combination, a computer system including: a processor; system memory coupled to the processor; and a memory coupled to the processor, the memory including a database for use in manufacturing a component wherein the database is accessible to a manufacturer and *at least one outside vendor*, all as required by independent claim 26. Claims 27 – 33 depend from claim 26 and are allowable for at least this reason.

Additionally, it appears that the rejection of claim 1 and claims 2-8 depending therefrom, as well as claims 9-33, is based on an improper hindsight-based obviousness analysis. In this regard, it must be recognized that hindsight reconstruction of claims based on disparate aspects of the prior art may not be employed as a valid basis for the rejection of those claims. *W.L. Gore & Associates, Inc. v. Garlock, Inc.*, 220 USPQ 303, 312-313 (Fed. Cir. 1983); *Panduit Corp. v. Dennison Manufacturing Co.*, 1 USPQ2d 1593, 1595-1596 (Fed. Cir. 1987). Furthermore, an obviousness determination requires that the invention *as a whole* would have been obvious to a person having ordinary skill in the art. *Connell v. Sears Roebuck & Co.*, 220 USPQ 193 (Fed. Cir. 1983).

To establish obviousness based on a combination of elements disclosed in the prior art or a modification of the prior art, there must be some motivation, suggestion or teaching of the desirability of making the claimed invention. *See In re Dance*, 48 USPQ2d 1635, 1637 (Fed. Cir. 1998); *In re Gordon*, 221 USPQ 1125, 1127 (Fed. Cir. 1984). The motivation, suggestion or teaching to modify references may come explicitly from statements in the prior art, the

knowledge of one of ordinary skill in the art, or, in some cases, the nature of the problem to be solved. *In re Dembiczak*, 50 USPQ2d 1614, 1617 (Fed. Cir. 1999). Whether the Office Action relies on an express or implicit showing of a motivation or suggestion to modify or combine references, it must provide particular findings related thereto. *In re Dembiczak*, 50 USPQ2d at 1617. Broad conclusory statements standing alone are not “evidence.” *Id.* Thus, the Office Action must include particular *factual findings* that support an assertion that a skilled artisan would have modified the express disclosure of Beelitz to develop the invention recited by independent claims 1, 9, 17, and 26. *See In re Kotzab*, 55 USPQ2d 1313, 1317. Applicant is unable to discern the requisite factual basis in Beelitz or the Office Action.

In this regard, the Office Action appears to have engaged in a hindsight-based obviousness analysis condemned by the Federal Circuit. In order to prevent a hindsight-based obviousness analysis, the Federal Circuit has clearly established that the relevant inquiry for determining the scope and content of the prior art is whether there is a reason, suggestion, or motivation in the prior art or elsewhere that would have led one of ordinary skill in the art to combine or modify references. *See Ruiz v. A.B. Chance Co.*, 57 USPQ2d 1161, 1167 (Fed. Cir. 2000); *see also In Re Rouffet*, 47 USPQ2d 1453, 1459 (Fed. Cir. 1998) (“[T]he Board must identify specifically ... the reasons one of ordinary skill in the art would have been motivated to select the references and combine them to render the claimed invention obvious.”). Applicant can detect, and the Office Action has pointed to, no motivation or suggestion that would prompt someone of ordinary in the art to look to Beelitz for a solution to the problem addressed by Applicant’s invention. Such a determination that there is a suggestion or motivation to modify Beelitz is a factual finding that is prerequisite to an ultimate conclusion of obviousness. *Sibia Neurosciences, Inc. v. Cadus Pharma. Corp.*, 55 USPQ2d 1927, 1931 (Fed. Cir. 2000). Applicant respectfully submits that the Office Action is devoid of such a finding.

Without such a finding, a *prima facie* case of obviousness in rejecting claim 1, dependent claims 2-8, and the additional pending claims 9-33 under 35 U.S.C. § 103(a) based on Beelitz has not been made. For this further reason, Applicant respectfully submits that claim 1 is

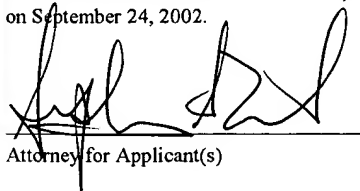
patentably distinguished over Beelitz and Applicant respectfully requests the Examiner to remove the rejection of claim 1 and claims 2-8 depending therefrom.

In light of the foregoing amendment and remarks, Applicant respectfully submits that pending claims 1-36 and are non-obvious in light of Beelitz. Accordingly, Applicant respectfully requests the Examiner to remove the rejection of claims 1-36 and allow claims 1-36.

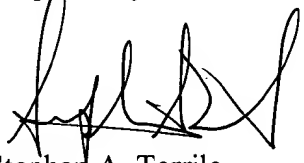
### CONCLUSION

Attached hereto is Attachment A which is a marked-up version of the changes made to the specification and/ or claims by the current amendment. The attached page is captioned **"Version With Markings To Show Changes Made."**

Applicant respectfully requests that a timely Notice of Allowance be issued in this case. Nonetheless, should any issues remain that might be subject to resolution through a telephonic interview, the Examiner is requested to telephone the undersigned.

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| I hereby certify that this correspondence is being deposited with the United States Postal Service as First Class Mail in an envelope addressed to: Commissioner for Patents, Washington, D.C. 20231, on September 24, 2002. |                   |
|   | 9/24/02           |
| Attorney for Applicant(s)  | Date of Signature |

Respectfully submitted,

  
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## **APPENDIX A**

The following is a "Marked Up" version of the entire set of claims showing the changes that the accompanying submission makes to the claims of Serial No. 09/420,696:

1. (As Amended) A method for procuring a manufactured component through a plurality of development stages, the method comprising:  
providing a database for storing information related to procuring the manufactured component;  
sharing the database among a plurality of relevant parties, at least one of the relevant parties comprising an outside vendor;  
inputting data into the database by at least one of the relevant parties during a development stage of the manufactured component; and  
modifying the database at each development stage of the manufactured component if necessary.
2. (As Filed) The method of claim 1 wherein the database holds data related to procurement of a plurality of components for a computer system.
3. (As Amended) The method of claim 1 further comprising:  
providing a pointer in the database, the pointer locating data related to at least one of the development stages of the manufactured component.
4. (As Filed) The method of claim 1 wherein the relevant parties include a manufacturer and at least one supplier.
5. (As Filed) The method of claim 1 wherein the data includes:  
production information;  
testing information;  
regulatory information; and  
cost information.
6. (As Amended) The method of claim 1 wherein the database is stored on a

memory and includes:

- a plurality of partitions, each partition relating to manufacturing the component;
- a plurality of fields within each partition, the plurality of fields for logging information related to a plurality of manufacturing development stages; and
- a plurality of storage locations for storing data related to the plurality of partitions;

wherein the database is accessible to a manufacturer and said outside vendor.

7. (As Filed) The method of claim 1 wherein the database is accessible via one of an internet connection to a network, an intranet connection to a network and both an internet and intranet connection to a network.

8. (As Filed) The method of claim 1 wherein the database is accessible via a transportable memory.

9. (As Filed) A database stored on a memory for use in manufacturing a component, the database comprising:

- a plurality of partitions, each partition relating to manufacturing the component;
- a plurality of fields within each partition, the plurality of fields for logging information related to a plurality of manufacturing development stages; and
- a plurality of storage locations for storing data related to the plurality of partitions;

wherein the database is accessible to a manufacturer and at least one outside vendor.

10. (As Filed) The database of claim 9 wherein the database is accessible via one of an internet connection to a network, an intranet connection to a network, and both an internet and intranet connection to a network.

11. (As Filed) The database of claim 9 wherein the database is accessible via the memory being transportable.

12. (As Filed) The database of claim 9 wherein the database is capable of activating a plurality of programs for viewing and editing the data, the plurality of programs enabling the manufacturer and the at least one outside vendor to view and edit identical data.

13. (As Filed) The database of claim 12 wherein the plurality of programs are read-only viewers.

14. (As Filed) The database of claim 9 wherein the plurality of fields includes a plurality of comment fields.

15. (As Filed) The computer system of claim 9 wherein the plurality of partitions includes a plurality of forms for inputting and viewing data.

16. (As Filed) The database of claim 15 wherein the plurality of forms include at least one of an evaluation form, a regulatory form, a reliability form, a design review form, a manufacturability form, a documentation form, a system test form, a mechanical form, a bench test form and a report form.

17. (As Filed) A method of procuring a computer component comprising:  
providing a database stored on a memory, the database including:  
a plurality of partitions, each partition relating to manufacturing the component;  
a plurality of fields within each partition, the plurality of fields for logging information related to a plurality of manufacturing development stages; and  
a plurality of storage locations for storing data related to the plurality of partitions, and  
providing access to the database by a manufacturer and at least one outside vendor.

18. (As Filed) The method of claim 17 wherein the database is accessible via one of an internet connection to a network, an intranet connection to a network, and both an internet and intranet connection to a network.

19. (As Filed) The method of claim 17 wherein the database is contained in a transportable memory.

20. (As Filed) The method of claim 17 further comprising:  
enabling the manufacturer and the at least one outside vendor to view identical data via a plurality of programs for viewing and editing the data.
21. (As Filed) The method of claim 20 wherein the plurality of programs are read-only viewers.
22. (As Filed) The method of claim 17 wherein the plurality of fields includes a plurality of comment fields.
23. (As Filed) The method of claim 17 wherein the plurality of partitions includes a plurality of forms for inputting and viewing data.
24. (As Filed) The method of claim 23 wherein the plurality of forms include at least one of an evaluation form, a regulatory form, a reliability form, a design review form, a manufacturability form, a documentation form, a system test form, a mechanical form, a bench test form and a report form.
25. (As Filed) The method of claim 17 wherein the plurality of partitions includes:  
a second subset of the plurality of fields for inputting data related to test results.
26. (As Filed) A computer system comprising:  
a processor;  
system memory coupled to the processor;  
a memory coupled to the processor, the memory including a database for use in manufacturing a component, the database including:  
a plurality of partitions, each partition relating to manufacturing the component;  
a plurality of fields within each partition, the plurality of fields for logging information related to a plurality of manufacturing development stages; and  
a plurality of storage locations for storing data related to the plurality of partitions;  
wherein the database is accessible to a manufacturer and at least one outside vendor.
37. (As Filed) The computer system of claim 26 wherein the database is accessible via a computer network.

38. (As Filed) The computer system of claim 26 wherein the database is accessible via the memory being transportable.

39. (As Filed) The computer system of claim 26 wherein the database includes a plurality of programs for editing and viewing the data, the plurality of programs enabling the manufacturer and the at least one outside vendor to view identical data.

40. (As Filed) The computer system of claim 26 wherein the plurality of viewers are read-only viewers.

41. (As Filed) The computer system of claim 26 wherein the plurality of fields includes a plurality of comment fields.

42. (As Filed) The computer system of claim 26 wherein the plurality of partitions includes a plurality of forms for inputting and viewing data.

43. (As Filed) The computer system of claim 32 wherein the plurality of forms include at least one of an evaluation form, a regulatory form, a reliability form, a design review form, a manufacturability form, a documentation form, a system test form, a mechanical form, a bench test form and a report form.

44. (As Filed) The method of claim 17, further comprising limiting access of said at least one outside vendor to at least a portion of said database.

45. (As Filed) The method of claim 17, further comprising providing a plurality of security levels to limit access to said database.

46. (As Filed) The method of claim 17, wherein said at least one vendor provides technical documentation to said database.